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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/273445-Conf. #7143	
	Filing Date	March 19, 1999	
	First Named Inventor	James K. LIAO	
	Art Unit	1617	
	Examiner Name	J. M. Kim	
Total Number of Pages in This Submission	1	Attorney Docket Number	ENI-028BCP

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Letter Regarding Omission of Identified Claims (1 page); and Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	LAHIVE & COCKFIELD, LLP Danielle L. Herritt, Esq. - 43,670 For: DeAnn F. Smith, Esq. - 36,683
Signature	
Date	October 6, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 831 966 841 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: October 6, 2004	Signature:  (Danielle L. Herritt, Esq.)

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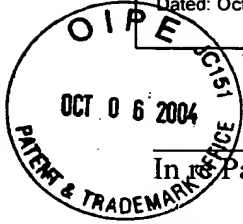
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Dated: October 6, 2004

Signature: 

(Danielle L. Herritt, Esq.)

AFH/1617  
Docket No.: ENI-028BCP  
(PATENT)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Patent Application of: James K. Liao *et al.*

Application No.: 09/273445

Art Unit: 1617

Filed: March 19, 1999

Examiner: Kim, Jennifer M.

For: Upregulation Of Type III Endothelial Cell Nitric Oxide  
Synthase By HMG-CoA Reductase Inhibitors

**LETTER REGARDING OMISSION OF IDENTIFIED CLAIMS**

Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants wish to inform the Examiner that in the Preliminary Amendment filed May 23, 2003, Applicants introduced claims, specifically claims 236, 237, 263, 249, 239 and 240, to the application that are similar to claims 1, 2, 6, 7, 8 and 9, respectively, in U.S. Patent No. 6,465,516. While U.S. Patent No. 6,465,516 was identified to the Examiner in the Information Disclosure Statement, also filed May 23, 2003, Applicants inadvertently failed to specify the corresponding claims. Claims 236, 237, 239 and 240 subsequently were withdrawn in response to a Restriction Requirement. As the Examiner is aware, a similar set of claims was filed in co-pending US Serial No. 10/688,721, which is a continuation of the instant application. Applicants are filing a similar Letter in U.S. Ser. No. 10/688,721.

Applicants invite the Examiner to call Applicants' attorney at (617) 227-7400, if she wishes to discuss this application.

Dated: **October 6, 2004**

Respectfully submitted,

By 

Danielle L. Herritt, Esq. (Reg. No. 43,670)

For: DeAnn F. Smith, Esq. (Reg. No. 36,683)

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